The Court:

Q. What was the Immigration case in San Francisco?

A. I think that the—Mr. Nelson quite well knows this case——

Mr. Nelson: I don't know why he's talking back to me; he's got to answer questions——

[fol. 1403] A. If you give me a chance I will——

The Court: All right. Let's have it.

A. (Continued:) You can't steam-roller me. After all, I'm not—I'm human——

Mr. Nelson: I object to these remarks. Nobody is steam rolling him; everybody sees that I'm asking proper questions.

The Court (to the witness): Don't inject any remarks, Mr. Patterson, and he won't be permitted to——

A. Well, Mr. Nelson, that was the case of Nardia N. Baiken that you so well helped them to Hawaii and other places of the Courier——

Mr. Nelson: I object to that, your Honor, and make a motion for mistrial on the basis of the remark of this witness——

A. (Continued:) I can prove it under oath——

The Court: We will strike it from the record. All we want to know is the name of the case. The motion is [fol. 1404] refused and we will strike from the record the extra remarks of the witness.

Exception noted.

Mr. Nelson:

Q. What was next after that?

A. I believe the next case was Frank Barich, here in Pittsburgh.

Q. That was when?

A. About the Summer of '48 or '49; I don't know the exact year.

The Court:

Q. Frank Borich?
A. Borich, yes.

Mr. Nelson:

Q. What was next after that?
A. I think I testified in the Harry Arris case in New York City; I testified in——
Q. What year was that?
A. I don't know whether it was '49 or '50; maybe it was '50.
Q. That was a deportation hearing?
A. Yes.

The Court:

Q. Was that the teacher there, the teachers——
A. No, no, that was Frank—that was Harry Arris, a [fol. 1405] colleague of mine in Lenin School.

Mr. Nelson:

Q. What was the one that you testified in after that?
A. I don't know. I know I testified in the teacher's trial in New York City; I believe that was in the Summer of either—I believe that was '50, if I'm not mistaken, I think if was '50. I believe I testified in that case.
Q. Then what was the one after that?
A. Let me see now. Let me think about it myself. I never paid that much attention to them—teacher's, Borich, Canley, Arris—just about two weeks ago I testified in the case of Leon Plot, you know, you and I know him very well——

Mr. Nelson: Your Honor, I object to these remarks. I didn't ask for that——

The Court: They will be stricken.

Mr. Nelson: And he had no right to make any comments.

The Court (to the witness): Don't make any comments. Be responsive.

[fol. 1406] Mr. Nelson:

Q. Was that about all, or were there more?

A. I think that's about all. I don't know. Maybe there was another one. I don't pay that much attention to it——

The Court:

Q. What was the one in Minnesota?

A. Yes, Hagerman case in Minnesota.

Mr. Nelson:

Q. And when was that?

A. That was last Winter, I believe, or March, or February, or some time around that time.

Q. Now, when you testified in the Detroit case, were you paid for that testimony?

A. Sure I was.

Q. How much?

A. Well, I got the regular witness fee.

Q. Twenty-five——

A. Twenty-five and nine.

Q. Well, how much did you get paid for testifying the second time in that case?

A. I got the same fee.

Q. How much did you get for testifying in the San Francisco case?

A. Same fee.

[fol. 1407] Q. Same fee. Well, to save time, is it your answer you got a fee in all the cases?

A. All the cases the same fee, yes, sir.

Q. Well, didn't you testify yesterday that there were times that you didn't get paid for testifying?

A. I don't recall ever making that testimony. Every case that I testified in I got paid for it.

Q. $34.00 a day?

A. Not all of them, no.

Q. $25 plus $9?

A. Some cases I wasn't out of town so I didn't get the $9.00 per diem; just got the straight $25.00.

Q. I see. Were you subpoenaed to testify in these cases or did you volunteer?

A. Well, I was subpoenaed in all of them.

. You were subpoenaed in all of these?
. Uh-huh.
. And who subpoenaed you in the first case, the indi-
ual?
. I don't know. The paper was served to me at the
se. I don't recall now just who this individual was.
. Who came to speak to you about the case?
. I know it was an official from the Immigration Service,
I know, come to speak to me about the case.
. 1408] Q. I see. So that over a period of these—that
he time that these cases stretched out that you testified
you were in contact and working with the Department
mmigration, is that right?
. That's right.
. Do you have a contract with the Department of Immi-
ion of any sort, in your activities with them?
. No separate contract, no, but whenever I go out on a
I signs a contract.
. Could you give an estimate of how much you made in
e twelve cases you testified?
. Well, I tell you, I never figured that up; I never gave
at much of a thought, so right offhand I can't give you
stimate.
. Could you make a close guess of how much you made
ese cases that you testified?
. Well, I don't like to make a guess. I like to be exact.
. Well, then, be exact. What is your best recollection?
er tell me what you know exactly, if you can; or if you
t make an estimate?
. Well, I can't because I don't have the facts and
es. I don't have the stubs or checks with me now.
. Well, did you make in these cases $2,000?
. Well, I wouldn't say no exact sum because, as I said,
ven't figured it up.
. Would you say it was less than that?
. 1409] A. Well, I wouldn't say anything.
. You wouldn't say anything. And you have no record
y sort that would refresh your recollection?
. Well, I didn't keep a record.
. How much did you get for testifying in the teacher's
in New York City?
. I didn't keep a record.

Q. How long were you on the stand there?

A. Well, I don't recall just now how long I was on the stand.

Q. Who was the trial examiner on the—that is, who was the examiner on that case?

A. Are you trying that case over?

The Court: No, no, who was the trial examiner? We'll rule on this——

A. I believe it was Theodore Kendall, I believe that's his name. Maybe I'm not pronouncing it correct. I think that was his name.

Mr. Nelson:

Q. I see. And were you subpoenaed to testify in that case?

A. I answered that question.

Q. Well, I'm asking you specifically. I didn't go over this question——

The Court: Answer the question.

[fol. 1410] A. I answered I was subpoenaed in all the cases.

Mr. Nelson:

Q. All right. Who got you to testify in the teacher's case in New York City?

A. Mr. Costaldi. He was in charge of the case; he was from the Cooperation Counsel, Assistant Cooperation Counsel.

Q. Have you been paid a flat fee in any of the cases you testified in?

A. No.

Q. Have you been offered a flat fee in this case?

A. No.

Q. Just per diem and your $25.00—right?

A. Yes.

Q. Now, when you go out testifying on these cases, what arrangements do you have with your employer——

A. Well——

Just a minute—does he willingly cooperate with your
nteeism; is that all right with him?
Yes, my employer is very anti-Communist so he is
to excuse me, he says I'm doing something great for
iovernment.
He would even pay you to come over and testify,
dn't he?
He don't pay me. I work on commission; I have no
y.
In your appearances at these deportation hearings
witness, have you testified against any person that
1411] would be deported to a Fascist country?
Let me see, now—I don't know—let's see what you
to call a Fascist country right now. Let's see, Portu-
Yugoslavia, and Harry Arris——
Put it this way——

e Court: Make your question more specific, Mr. Nelson.

Mr. Nelson:

All right. Did you testify against any person that
be deported to Fascist Spain?
Spain? I don't believe I know anybody that was going
ain. I don't think I have.
How about Greece?—same question.
No, there was some Greeks but they got rid of them
ut my help. For an example, Little Forrest that was
us in the Lenin School.
Was he deported to Greece?

. Nelson: I object to this, your Honor.
e Court: Well, you are asking the questions.
. Nelson: I asked him whether he testified, and he said
someone was deported or gotten rid of without his
1412] help. Now, that wasn't an answer.
e Court: Well, I suppose you are correct. We will rule
he answer and have it stricken from the record and
ct the jury to disregard the volunteered informa-
Be responsive.

The Court:

Did you testify in any case where the subject was being
ted, or the proceeding was to deport anyone to Greece?

I don't think I did, your Honor.
How about Turkey?
I don't think I did, your Honor.

Mr. Nelson:

I believe you testified yesterday that you left the Com-
st Party in 1947?
Yes.
Did you have any difficulty leaving the Party?
No, I just left.
You just left?
Yes.
Did anybody put any obstacles in your way?
No.
Nobody threatened you?
1413] A. No.
And you didn't have to hide your address after that,
ou?
Never did.
And you weren't troubled by anybody in the Com-
st Party in that respect since, were you?
No.
Well, when you left the Communist Party in 1947 did
eport to any official body of the Government that you
and left the Communist Party?
No.
You didn't. And did you at any time later report to
Government that you left the Communist Party and
ou had been a member previously?
No.
You didn't——
Did I report—let's get this straight now—you mean
tarily?
Yes.
No.
So these things you testified to yesterday that you
ht out yesterday in this case, you knew all these years
ou didn't find it necessary to go down to the Govern-
and say "Here's something that ought to be done
this particular question"?
It was none of my business. I had nothing to do with
obody didn't ask me——

ee——

4] A. (Continued:) If they had asked me I would
the same things I did yesterday; for an example,
he Gerhardt-Eisler case—nobody asked me and I
hing about it, and you know how much I knew

elson: Your Honor, I didn't ask for all this——
ourt (to the witness): Never mind elaborating.

r. Nelson:

ll, when you testified in the teacher's case in New
y——

ourt: Is that the name of a person? The "Teacher's

elson: No, I believe it was referred to by this wit-
think there was a group of teachers.
ourt: All right.

r. Nelson:

I right on that?

on't think that I referred to it. I think you raised
5] it today. I had even forgotten I had testified in it.

ourt: Well "teacher" is not a name. It's a group

lson: It isn't a name. It could be but it isn't. It's
of teachers.

r. Nelson:

t you testified against and you stated that the trial
or the Presiding Judge in that case was an in-
by the name of Kendall?
id I believe that was his name.
right. That's all right. Now, isn't it true, Mr.
that when you got through testifying in that case,
that he could not believe your testimony and he
out, didn't he?

rcone: I object to that.
urt: Objection sustained. Exception noted.
lson: Well, your Honor, I think——

Cercone: Now, just a minute. The examiner has
g to do with——

16] Mr. Nelson: I know, Mr. Cercone, you don't
have this thing brought out.

Court: The objection is sustained——

Cercone: I object to all these speeches.

Nelson: You don't want to have this brought out——

Court: The objection is sustained, Mr. Nelson. What
l examiner's opinion of the witness' testimony was
aterial here. If it is what this jury thinks of his testi-
nd they will not base if on what somebody else
, they will base it on what they think.

Cercone: There is no basis that that was said, your
that's the thing.

Court: Well, I have sustained the objection to the
n, and the witness has been prevented from answer-

Nelson: Well, your Honor, before the day is over
o get this record and I'll produce it and show it to
17] you and to the jury here——

Court? Well, you can——

elson: I've been in contact with New York, got this
tion by mail and telephone——

Court: Well, I can tell you this, I'll not permit——

elson: I don't have it here to confront him but I
ore the day is over.

ercone: It's immaterial——

ourt: I still wouldn't permit it to be submitted to
because it's a matter of an opinion of that trial
r, and that's the prerogative of this jury to form
n opinion.

elson: I have no more questions of the witness.

ourt: Very well. You are excused, Mr. Patterson.

8] CHARLES H. WHITE, recalled for further cross-
tion, testified as follows:

ross-examination.

elson: I renew my motion in reference to the testi-
the last witness and move that it be stricken.

refused.

n noted.

rt: This witness appeared yesterday, gave his
nination, was cross examined in part and now is
lled for further cross examination.

Nelson:

eve you were born in Cincinnati, Ohio—right?
County, Georgia. I was raised in Cincinnati,

hat's right. When was it that you lived in Cin-

1916 until 1930—or '31.
after 1930 where did you go?
e to New York and I took ship for London, and
y of a Soviet steamer to Hamburg, to Leninberg,
in to Moscow.
Q. Then I believe it was your testimony that
New York City after 1931, and in Newark, New
r that: is that right?
the opposite. I lived for a year and possibly
as in Jersey, then I came to New York in '34.

nast '34.
u have any brothers and sisters?
e one brother alive and a sister and a brother

e does your brother work?
rother is an employee of the Board of Transpor-
works in Brooklyn, operating a bus for the
v York.
k you testified that you work for the Board of
tion in New York City?
hat's correct.
ou operate a street car, or subway?
x and a half years I operated a one-man trolley,
ree years and a little over I'm a railroad clerk,
the clerical staff.

Court:

t underground or surface cars?
ndergrounds.

derground?
ght.

0] Mr. Nelson:

hat line is that you are working on?
I.T. Subway, that's a division of the New York
nsit System.
w, are you appearing in this case to testify because
uest from some branch of the Government?
s.
d you are working for the New York City——
s, that's right.
e fact that you are working for the New York City
ystem, which is operated by the City Goverment,
have any bearing at all when any other branches
overnment asks you to testify?
has not up to this time, I've always had a leave
pay.
ays leave without pay?
to now. I don't know what—the City of New York
pay anyone while they are working for someone
other words, there's no dual salary.
e.

e Court:

at do you mean "up to this time"? Are you being
regular salary there while testifying here today?
your Honor.

] Mr. Nelson:

you married or single?
married.
e you married more than once?
I was only married once. I went through a legal
only once, if that's what you mean.
I——
s married only once; that's the answer.
, did you have only one wife, or two?
d only one wife.
, why did you raise the technicality——

A. I belie
what you we
Q. I see.
A. I was
Q. Do you
A. I have
Q. I belie
in cases as a
so, or twelve
A. That's
Q. What w
fied as a wit
A. In 1937
called the M
it——
Q. I see—
[fol. 1422]
Q. Was th
A. It was
Q. And wa
A. It was
Court House
Q. And di
mony at that
A. Not eve
Q. What's
A. 1939 in
fore the Sub
Q. Sub-Co
A. Yes.
Q. That w
A. About
Q. What
A. Well, i
for hotel and
Q. We'll c
A. Well, t
of my recolle
Gerhardt Eis
Q. And th
D. C.?

you raised it. I wanted to get clarity on
e driving at.
). K. You were never divorced?
ever divorced.
have any children?
one son.
you testified yesterday that you appeared
witness, I think you stated about ten times or
was it?
ight.
as the first occasion, and where that you testi-
ess?
before the New York State Committee, it was
Nabo Committee, I had forgotten the name of

. I received——
t in '37?
36 or '37.
that in Albany?
eld in New York, in the Polish Square, County

you receive any remuneration for your testi-
time?
car fare to get there.
the second time you testified, which case?
Washington, in the District of Columbia, be-
Committee on Appropriations.
mittee of Congress?

s in 1939?
une, yes.
as the next occasion that you testified?
this case I didn't deny I received $5.00 a day
food, but no——
ver that later——
next time I testified was in 1947, to the best
tion, in the hearing of the Government versus
er.
t was where—New York City, Washington,

took place in Washington, D. C.
. Well, were you paid for that testimony?
A. I received $5.00 a day which was for hotel
in Washington, that was in 1947. That was all
nsation I received and I received no money from
e salary during the time I was there.
n was the next case you testified in?
is in New York, to the best of my recollection, and
l the Immigration Service versus J. Peters.
was when?
as 1948.
ight. Did you receive any compensation?
I did, in this case.
much?
eve it was $12.00. I don't know when they raised
2.00 or more, but——
y?
y; I know the first case for the Immigration was
ay.
expenses?
whatsoever.
was the next case?
s the case, to the best of my recollection now, of
iskin alias Simon.
was that?
was during the same year.
did you get paid for testifying in that case?
I did.
Q. How much?
eve I received $20.00. Now, if it wasn't $20.00 it
but I believe it was $20.00.
best recollection is $20.00, it might have been
s right.
was the next case you testified in?
't remember the name of the defendant, because
ow his name and I didn't know him.
is it your custom to testify against people whom
know?
one: Just a minute, your Honor——
on: Isn't that what he said?

The Court:
know the per
don't know w
A. I so test
Q. You don
A. I don't
Q. All right
know, that's y
[fol. 1425] A
Q. Was that
A. It was a
Q. Did you
A. For each
fied or not, if
Q. Each tim
you said?
A. On the s
times I waited
It's only for o
Q. I underst
cases. What
A. In Bosto
Q. What wa
A. I don't r
person.
Q. Oh, you
know; is that it
A. No, I di
that I did not
Q. All right.
A. I went to
Q. Pardon?
A. Yes, I sai
and I appeare
[fol. 1426] Th
Q. Did they
called you as a
A. A hotel f

e said he was called to testify, he didn't
and didn't know anything about it. I
her he testified about him or not.

d, that I didn't know him.
call the name?
w the man and I don't know his name.
'm not going to press you; if you don't
r answer. Now, when was that and where?
n New York City, at 70 Columbus Avenue.
deportation case?
portation hearing.
t paid for that testimony?
me I appeared I got paid, whether I testi-
got on the stand.
you appeared you got paid, is that what

d; not if I was sitting out waiting. Some-
o or three days before going on the stand.
he stand that I was paid.
d; I understand. Well, that's about eight
re the others that followed?
I testified.
he name of the first one?
ember the name because I didn't know the

stified again against a person you didn't

't say that, counsellor. I said I testified
w him.
Did you get paid for that testimony?
Boston and appeared.

I went to Boston, I got a round trip ticket;
I spent practically two days there.

Court:

ay your transportation costs when they
itness?
called a per diem.

Mr. Nelson:

Q. What about the case after that, can you place it?

A. If I don't know the man, I had no recollection of him, I just forgot about it.

The Court:

Q. Are there any other cases that you know the person that you testified against?

A. (No response)

Mr. Nelson: That's all right.

Mr. Nelson:

Q. Well, all right, is it that it's hard to remember because of passage of time?

A. That's all I remember.

Q. Yes. That was within—however, most of these cases that you testified in were in a recent time, in the last three years; right?

A. Yes, that's correct.

Q. And it's hard for you to remember the rest of the names in the other cases because of passage of time?

[fol. 1427] Mr. Cercone: He didn't say that.

The Court: Well, he can ask the question again.

Mr. Nelson: He can say "Yes" or "No".

A. If you repeat the question then I'll make an answer to it.

Mr. Nelson: Let the question be read.

(Question read.)

A. No, that is not true. I didn't know him in the first place.

Q. I believe you testified that you were subpoenaed to appear in this case?

A. Yes.

Q. Who was it you said contacted you to testify in this case?

A. The Immigration and Naturalization Service, Mr. Avery, in charge of the Service.

Q. All right——

A. He called my boss who give me a memorandum asking

me to get in touch with Immigration. I called up Immigration, they said "Come down, we want to talk to you." When I come down I met the former Assistant Attorney General, Judge Lewis, and I had a conversation with him. That's how I was subpoenaed.

Q. So it was your boss who asked you to get in touch with this Department of Immigration, and asked you to— [fol. 1428] that is, it was your boss—strike that—I believe it is proper to state your testimony is that your boss contacted you and told you to get in touch with the Immigration Department?

A. He passed along the telephone message; that's what he did. He made no request that I go.

Q. So the fact that you work for New York City, a local branch of the Government, has no effect whatever on your testifying for another branch of the Government?

A. My boss resents my absence each time. I have gotten in much trouble. He would rather I stayed out of it.

Q. Well, I think yesterday you claimed that your testifying in these cases was a financial loss to you, and that you weren't getting paid, but the way the picture looks today——

Mr. Cercone: Your Honor, I'm going to object to this——

Q. (Continued): You are getting paid for testifying, isn't that true, Mr. Witness?

The Court: The objection is overruled.

A. I didn't so testify I wasn't getting paid in this case. I said in some cases I was not——

Q. No, I said "these cases"?

A. These?

[fol. 1429] Q. These various cases we referred to that you testified in; these twelve——

Mr. Cercone: He said in some cases it was a financial loss. That's what he stated——

A. It was a total loss. The Eisler case cost me over $200 out of my own pocket; took me a whole month before the Grand Jury and I got $5.00 a day and I lost wages in New York which amounted to——

Q. How much money did you make while you were going testifying from case to case that we referred to here—how

much money did you make in all? Could you estimate that?

A. I believe in the twelve cases in which I testified that if you total it I made not one red penny, I lost a good deal of money.

Q. I see. Just like Crouch?

A. Well, I don't know. I didn't speak to Crouch about it.

Q. Do you have any kind of a contract with the Department of Immigration?

A. By "contact" you mean——.

Q. Contract, a written contract for your work, if you call it that?

A. On some occasions yes, and some occasions they didn't even bother making one up.

Q. You don't have a flat contract covering your work?

A. Oh, no; oh, no.

[fol. 1430] Mr. Nelson: That's all, your Honor.

The Court: Any more direct?

Mr. Cercone: That's all, your Honor.

The Court: All right, Mr. White.

Mr. Nelson: I renew my motion on that, of this man's testimony, your Honor. It goes beyond the period of the indictment.

The Court: The motion is noted, it is refused, and an exception noted.

Mr. Nelson: Your Honor, may we have a break then?

The Court: Yes, I'll take a recess at this time at your request and give the jury ten minutes at this time.

Recess.

[fol. 1431] Tuesday, January 8, 1952.

Afternoon Session

MATTHEW CVETIC, a witness called on behalf of the Commonwealth, being duly sworn, testified as follows:

Direct examination.

Mr. Cercone:

Q. What is your name, sir?

A. Matthew Cvetic.

Q. Where do you live, Mr. Cvetic?
A. In Pittsburgh.
Q. Where were you born, Mr. Cvetic?
A. In Pittsburgh.
Q. Have you been a life long resident of Pittsburgh?
A. Yes.
Q. Will you state briefly your educational background?
A. I finished eight years in grammar school; went to St. ncent's Prep School for two years; finished a business rse at Curry Business College and took a correspond- e course in criminology.
Q. Where did you take that course?
A. International Criminologist School.
Q. Mr. Cvetic, have you ever worked for the United States vernment?
ol. 1432] A. Yes, I have.
Q. In what branch or department?
A. Well, I worked for the United States Employment rvice; I worked for the Federal Bureau of Investigation, d I worked for the United States Department of Justice.
Q. In what capacity did you work for the Federal Bureau Investigation, or commonly referred to as the F. B. I.?
A. I worked as an undercover agent for the F. B. I.
Q. What was the nature of your work as undercover ent for the F. B. I.?
A. My job was to join the Communist Party to secure formation on their activities, and on their aims, and also their membership.
Q. And when were you assigned by the F. B. I. to be- me a member of the Communist Party?
A. In April, 1941.
Q. In April, 1941?
A. Yes, sir.
Q. And when did you become a member of the Communist rty, according to your assignment?
A. I became a member in February, 1943.
Q. And what were the circumstances under which you ame a member of the Communist Party?
A. I became friendly with Communist Party members, o were working in the United States Employment Serv- . In conversation with them, after I agreed to accept ol. 1433] this job, I supported the Soviet Union in argu-

ments, when it was brought up in many questions as opposed to the United States. I espoused the causes of Communism and Socialism in debates; and after 22 months of this I was asked by Sidney Horowitz to attend a recruiting meeting at the 5th Avenue High School in Pittsburgh.

Mr. Nelson: I move to strike, he is giving his reputation and is not giving facts.

The Court: Oh, I think so. Objection overruled, exception noted.

Mr. Cercone:

Q. Mr. Cvetic, how long did you remain a member of the Communist Party under assignment by the F. B. I.?

A. Until February, 1950.

Q. And during that time did you become familiar with the structure of the Communist Party?

A. Yes, sir.

Q. And will you briefly tell the members of this jury, during your membership from 1943 to February, 1950, what the structure of the Party—I might ask you, did you do your work in Pittsburgh here?

A. I worked in Pittsburgh, but I also carried on Communist Party activities on instructions of the Party leaders here, in New York, Philadelphia, Washington, the Western Pennsylvania district, which extended to Johnstown to [fol. 1434] Erie, down in West Virginia, and also Detroit, Cleveland and Chicago.

Q. During that time, will you tell us what the structure of the Communist Party was?

A. The structure of the Communist Party: On the top level we had, in the last three or four years, we had the Cominform, which was the top body of the Communist International apparatus.

Mr. Nelson: I move to strike, it is an opinion of the witness, and the testimony is not true.

Mr. Cercone: I intend to follow that up, your Honor.

The Court: You better establish first how he knows: what training he has in various lines to testify his statements along those lines.

Mr. Cercone:

Q. During your membership in the Communist Party, at posts or positions did you hold in the Communist rty?

A. I was a member of the Executive Committee of the ofessional Branch of the Communist Party. I was a mem- of the Executive Committee of the North Side Club of Communist Party. I was a member of the Executive mmittee of the East End Club of the Communist Party. ranch organizer of the Lawrenceville Club of the Com-
1435] munist Party. I was the Finance Chairman for Western Pennsylvania district of the Communist Party about three years. I was a member of the organizational educational finance committee of the Party for three rs; and I was a secretary foreign chairman of the Slovine reau of the Communist Party of the United States for a iod of five or six years.

Q. How often would you meet in one organization, or ther, in a week's time, as a member of this Party, this anization?

A. Sometimes I would meet almost every night, every —sometimes twice a day—and it would depend—some- es three times a week.

Q. What would be discussed at these meetings?

Mr. Nelson: Your Honor, I object. There are no times places mentioned.

Mr. Cercone:

Q. You say that you were a member of the Professional nch of the Communist Party in 1947, and that you were he Executive Committee of that Branch?

A. I was a member of the Professional Branch in 1943 part of '44.

Q. In 1943 and part of 1944?

A. Yes.

Q. Do you know Steve Nelson?

A. Very well.

1436] Q. Is he in the Court room?

A. That is Steve Nelson right there.

Q. When did you first meet him in the Communist Party?
A. As far as I recall it, it was about a little over six
rs ago.
Q. That would be what?
A. I would say sometime late in 1945, so far as I recall.
Q. What were the circumstances under which you met
s defendant?
A. He was introduced to me as the chairman of the Na-
ality Commission of the Communist Party of the United
tes.
Q. Of the United States?
A. Yes, sir.
Q. Where were his offices at that time?
A. In New York City.
Q. What were you doing at that time in the Communist
ty?
A. At that time I was functioning as a member of the
ionality Commission of the Communist Party of the
ted States.
Q. And under whose instruction and supervision did you
your work?
A. I did it under the supervision of the District organizer
he Communist Party of Western Pennsylvania, and, of
rse, I was under the supervision of Steve Nelson for a
od of that time.
Q. And what was the function of the National chairman of
Nationality Commission of the National Committee of
Communist Party, which office this defendant filled?
Mr. Nelson: Objection, your Honor.
1437] The Court: Objection overruled, exception
d.
A. The function of the Nationality Commission of the
mmunist Party of the United States was to make reports
he various Nationality Commissions, to set the Party
for the Nationality groups, to discuss the Party line;
methods; how to be carried into the newspapers by the
mmunist Party members of this Commission; to hear
rts on the changing Party lines, when they came about;
ganize the Communist Party recruiting drives amongst
nality groups, and generally conduct the work, or or-
zed work of the Communist Party members, working

ternal organizations, mass organizations on fan
presses; in trade unions of the Nationality Com-
s.

Nelson: I want to move to strike that answer.
Court: Motion refused, exception.

Mr. Cercone:

ow, from August, 1948 until the time you left the
nist Party, did the Communist Party have a district
zer in the Western Pennsylvania area?
es, sir.
nd who was that?
teve Nelson.
nd when were you first informed that this defendant
438] was the District organizer of the Western Penn-
a area of the Communist Party?
t a meeting which was held at the lecture room of
rth Side Carnegie Library, in July or August of
There was a meeting of leading Communist Party
naries in this district, called by the district. Henry
n, a member of the Board, the National Board of
rty, addressed this meeting and told us—I was pres-
his meeting.
Was the defendant present?
es, sir.
ell us what was told you?
Henry Winston told us that the National Board recog-
e importance of this District and the fight for Social-
l Communism, and we are therefore sending two of
st organizers to work in this District. He further
that the National Board recognizes the importance
District because of the industries that are located

That was that? Say that again.
hat they recognized the importance of this District
the basic industries are located here; that the United
steel corporation is located here; and for this reason
e sending one of their best organizers, Steve Nelson,
in this District, and he further stated that we are
nding along with Steve Nelson, Andy Onda to or-
the work of our comrades in the steel industry.

1439] Mr. Nelson: May we approach the bench?
e Court: Come forward.

t side bar)

. Nelson: I move for a mistrial on the basis of the
ss bringing in Andy Onda in this case. He knew
r. He knows that he was convicted in the other case.
nows that there has been publicity in the newspapers.
Mr. Cercone deliberately planted this question, your
r. I move that you order a withdrawal of a juror and
re a mistrial.

e Court: Your motion is refused and an exception is

. Cercone: The statement of Mr. Nelson, that I de
itely planted this question, is not true.

e Court: The motion is refused and an exception noted.

nd side bar)

Mr. Cercone:

Now, at that meeting, was that announcement made as
440] any part of any policy of the Party?

Yes, sir, this was an official meeting of the Communist
District and leading Communist Party functionaries.
was closed to anyone but members of the Communist

By that, now, by saying that it was closed to anybody
embers of the Communist Party, what do you mean?

Well, in other words, you have to be a Party member,
enting one of the various clubs of the district, or
, or cells of the Party to be present.

Now then, did this defendant take over his job as
ct organizer of the Party?

Yes, sir.

And do you recall when that was?

don't recall the exact day.

Approximately.

t was within a couple of days, because I recall within
ple of days Steve Nelson—I met with him and he
around the corner on Diamond Street, to have a
coffee, and Steve said to me, "Well, Mat, I am de
g on you a lot to help me because you know the

district
and I a
you can
Q. A
vision a
munist
[fol. 14
supervi
so far a
for orga
discussi
dustries
Mr. N
terms a
that it
The C
and an
A. H
distribu
the Sun
Democr
and als
Country
Mr. N
is an op
The C
exceptio
M
Q. Co
[fol. 144
meeting
function
the work
ern Pen
Q. No
the Par
the Part
A. In
policy o

here, and you are one of the comrades we trust, n going to depend on you a lot to do everything

l what kind of work came directly under the super- nd instruction of the District organizer of the Com- Party, that is, when this defendant held the office? l] A. Well, the District organizer had the overall ion in the District. In other words, he was boss s the District was concerned. He was responsible nizing recruiting drives; for setting up educational ns; for organizing the infiltration of the steel in- around here by Communist members.

elson: Objection. The interpretation and use of infiltration is entirely out of order and I move e stricken.

ourt: Objection overruled, your motion is refused xception is noted.

was responsible for the organizing of the sale and ion of literature of the Communist Party press; lay and Daily Worker, For a Lasting Peace and cy, which is the official organ of the Cominform, official organ of the Communist Party in this

elson: I move that it be stricken, your Honor. It nion and should be stricken.

ourt: Your objection is noted, overruled and an is granted.

r. Cercone:

tinue?

2] A. He was responsible for making reports to of the District Committee of the Communist Party ries, and generally, was overall responsible for of the Communist Party for the District of West- sylvania.

y, in relation to the work that had to be done by in the steel mills, what structure was set up in ?

the Party, with reference to the steel mills, the the Communist Party in this district was known

concentration policy." The group that was respon
cifically within the Communist Party, of organiz
ell in the steel industry, was known as a "steel
on." The steel commission, after August, 1948,
Steve Nelson and Andy Onda came here, was the
ility of Steve Nelson, together with Andy Onda,
ally carried out the physical part of the work.
l where were the concentration points in the

ll, the concentration points in this district were
ts of the United States Steel Corporation, up
uquesne, Braddock, Homestead; the J. & L. Plant
Side, Pittsburgh; the plant of the Crucible Steel
; and also the steel areas of Aliquippa and Beaver
nd surrounding communities.
ou know if Nelson, himself, the defendant, under
work in this policy of the Party?
sir.
t did he do?
pecifically took the responsibility, after this meet
ing, of organizer, because at that meeting he
tated that he accepted the position and made a
; he asked for help of all the comrades—that is
alled one another in the Party—in this District,
that day on up until I left the Party, to testify in
on, Steve continued this responsibility, with the
of a short period, when he went hunting, some
ovember, 1949 and broke his leg.
re did he concentrate his efforts in this work?
, Steve himself—I am talking about Steve Nelson
eting which I attended, assigned himself at one
he work, to concentrate in the Turtle Creek Val
the Westinghouse Electric and Manufacturing
s located.
e tell you why he was going to do that?
was around the time when they were having an
re—I don't recall the exact day or month when
lections here, but he, himself, at a meeting said
ing himself to the Westinghouse Electric sectio
d of these elections.
you said that he supervised the distribution and

erature of the Communist Party. Are you famil-
the headquarters in the Bakewell Building?
, sir.
at was located there?
you talking about the headquarters of the Com-
arty?
Where are the headquarters of the Communist

A. The headquarters, while I was a member,
he Bakewell Building, on the fourth floor. They
office for the organizer.
the organizer, you mean Steve Nelson?
m August, 1948 on, it was Steve Nelson.
at room did he occupy in that suite?
room was the room near Diamond Street, and
that it was the room of the organizer who was
ad of Steve.
did you actually see Steve Nelson in the head-

et with Steve Nelson in the headquarters many

how often would you meet with this defendant in
munist headquarters?
l, it was either at his request, or I would come
ne particular reason.
t else was located there at the headquarters?
n, there was an office there for the secretary, and
period of time the secretary was Bill Albertson;
was adjacent to Steve Nelson's. Next to that
eption room, and that room for a period of time,
Mallis, worked as his secretary, and other Com-
arty members that were assigned. Adjacent to
he literature and press room—there was a desk
by most of us—Andy Onda used it, and I used it.
there was also the desk there of Jim Dolsen, who
ector of the press, and also distributed literature
ious branches.

Q. Now, how was the literature distributed?
of it was distributed either through literature
in the various branches; through the branch or-
and some it was sold right there on the premises.

an you just briefly state what areas the books were
?

Within my own knowledge, and the time I spent in
rty, I know that I, myself, took literature to the
ceville area; I had seen literature on sale at the
s of the District committees and Party functionaries
h Side. At the meetings—just about at every Com-
meeting I ever attended in the District. I took
re to Johnstown for the Johnstown area of the
and other sections of Western Pennsylvania.
hen you say other sections of Western Pennsylvania,
me of them?
ashington County, Beaver County, and the area
e Ohio line to Johnstown, going east; north up to
d south into West Virginia.
you know where some of the literature came from?
s, sir.
here did it come from?
me of it came from the National office of the Com-
Party, from the Century Publishers; some came
oscow, and from other satellite countries.

elson: Objection, your Honor, that is an interpre-
3] tation.
ourt: All right, we will strike out satellite coun-
ame the countries, be more specific.
ame from Moscow, Bucharest, Belgrade and other
.

r. Cereone:

at was the nature of the literature that came from
?

lson: Well, your Honor, if you are going to let him
vithout identifying things——
reone: We are going to do that.
urt: All right.

l, from Belgrade we received publications from
lav official publishing house, I think it was Tunya,
sure. From Bucharest we received the official
the Cominform, that is, the Communist Informa-
au, "For Lasting Peace in Democracy,"—"For

a Peoples
lengthy, and
From Mosco
by the Sovie

Mr. Nelso
[fol. 1447]
of the witne

Mr. C

Q. I show
and ask you
A. These
Peoples Dem
Bureau of th

The C

Q. Are the
A. Yes.

Mr. C

Q. Now, d
as a member
A. Yes, sir
Q. What h
A. Well, I
Communist P
tion; Found
Constitution
Dictatorship
Q. Were y
A. We use
[fol. 1448] w
Q. Now, y
those classes
the Party?
A. The cla
Steve Nelson
Q. And as
setting up th

ace and Peoples Democracy," it is a little
this is the official organ of the Cominform.
we received publications, that were published
Union, glorifying the life in the Soviet Union.

: I move to strike.

The Court: Motion refused. It is the opinion
s, and the interpretation placed on it.

rcone:

you Commonwealth's Exhibits 158 and 159,
f you know what they are?
re copies of "For a Lasting Peace for a
ocracy," Bucharest organ of the Information
Communist and Workers Party.

urt:

all in English?

rcone:

d you read any books as part of your work
of the Communist Party?

oks did you read?
was assigned for reading the History of the
arty of the Soviet Union; State and Revolu-
tions of Leninism; Communist Manifesto;
of the Communist Party of the U. S. S. R.;
of the Proletariat; and many other books.
u asked to read these books?
some of these books in Party classes, and I
s asked to read some of them.
u talked about Party classes. Who set up
between August, 1948 and the time you left

ses were set up by the District Board, of which
was a member.
District organizer did he have the duty of
classes?

lbertson actually had—he was the secretary,—
t you would call the duty of carrying out the
up of the classes, but the actual classes were
District Board.
whom?
orders of the National Committee of the Party.
n: I move to strike.
t: Motion refused, exception noted.

fercone:

you Commonwealth's Exhibit No. 163, en-
Program of the Communist International,"
if that was part of the literature that was used
s, either as a text book, or reference material?
n: Objection.
: Objection overruled, exception noted.
A. This book was before my time in the Com-
y.
t did you read it, did you see it?
seen the publication, but I have never recalled
ny of the classes.
you Commonwealth's Exhibit No. 21, entitled
the Communist Party of the Soviet Union,"
f you know what that is?
is is the History of the Communist Party of
nion which, at various times, I used in Com-
classes, and which was assigned as "must
rial" in the Party, and also used in the Party
action for the revolution in the United States.
: I move to strike.
Motion refused, exception noted.

rcone:

ve Nelson use this book?

n read from the pages which Steve Nelson
sses?
a meeting we had at the cultural Center, on
t, and Steve Nelson made a report to the

Communist Pa
this report he
Party of the S
hunt the pages
[fol. 1450] M
The Court:
granted.

A. At this r
received a book
stories in the
20 or 25 years,
Worker, in pr
read this out o
the Soviet Unio

"It was
were oppos
conquest, i
there are f
"(a) Jus
but wars
from foreig
or to liber
lastly, to
from the y
"(b) Un
quer and
tions.
"Wars o
As to wars
[fol. 1451]
waged agai
overthrow

Q. Now, did
reading?

Mr. Nelson:
The Court:
granted.

A. Steve Nel
this country, ref

y members present there, and as a part of
ead out of the History of the Communist
viet Union, and if I may, I would like to
nd read what Steve Nelson read:

Nelson: Objection, your Honor.
Objection noted, overruled and exception

ading, which I recall very well, because I
from Steve Nelson, a collection of the best
ily and Sunday Worker for the previous
ecause of my good work in selling the Daily
ious Daily Worker drives, Steve Nelson
the History of the Communist Party of

ot to every kind of war that the Bolsheviks
d. They were only opposed to wars of
perialist wars. The Bolsheviks held that
o kinds of war:
wars, wars that are not wars of conquest
liberation, waged to defend the people
attack and from attempts to enslave them,
e the people from capitalist slavery, or
perate colonies and dependent countries
ke of imperialism; and
st wars, wars of conquest, waged to con-
nslave foreign countries and foreign na

the first kind the Bolsheviks supported.
of the second kind, the Bolsheviks main-
ained that a resolute struggle must be
st them to the point of revolution and the
f one's own imperialist government."

teve Nelson make an explanation of that

bjection.
bjection noted, overruled and exception

n, in making his report, in referring to
rred to this country as being an imperialist

government, and imperialist aggressor; that this country is planning a world war three, and this was the gist of most of his talks.

Mr. Cercone:

Q. How did he refer to the United States government?

A. Well, not at that meeting, but during the course of the years I was associated with Steve Nelson, I heard him refer to the United States government as the "imperialist aggressors", as "the enemy," as "capitalist enslavers."

Q. And how many times did you hear him refer to the United States as "enemy"?

A. Oh, many times; many times.

Q. Do you recall any specific dates? Do you recall April, 1949?

A. Well, I recall when the news came out that the Soviet [fol. 1452] Union had the atomic bomb—I believe that was later—I think that was in September, sometime around there.

Mr. Nelson: Objection, your Honor.

The Court: Just a moment, come forward, gentlemen.

(At side bar)

Mr. Nelson: I make a motion for a mistrial on the ground that this witness is bringing in things about the atomic bomb. I am not charged with anything like that.

The Court: That is the reason I do not want anything brought in here.

Mr. Nelson: All right, but it has been brought out to the jury. This deprives me of a fair trial, and under the circumstances I move for a mistrial.

The Court: I will instruct the District Attorney to avoid anything implicating you, or connecting you with persons in regard to the atomic bomb. We will limit your questions, Mr. Cercone, in this respect.

Your motion is refused, and an exception noted.

[fol. 1453] (End side bar)

Mr. Cercone:

Q. Now, you were stating about something that happened in September, 1949, will you continue?

The Court: The acquisition of the atomic bomb by the Russian government was announced and you were going to say what the defendant said concerning it.

A. Yes.

Q. Yes, what were you going to say?

A. The news was headlined in the Pittsburgh newspapers, that the Soviet Union had the atomic bomb; such an announcement had been made. George Wuchinich, Milo Mamula, Steve Nelson and myself were standing on the corner of Liberty Avenue and Smithfield Street, near, I think it is the Sun Drug Store——

Mr. Cercone:

Q. Since you mention those names, who are George Wuchinich?

A. George Wuchinich was a member of the Communist Party.

Q. And who was Milo Mamula?

Mr. Nelson: That is objected to your Honor, bringing names of people in here.

The Court: Objection overruled, exception noted.

[fol. 1454] Mr. Cercone:

Q. All right.

A. And Milo Mamula was a member of the Communist Party.

Q. All right.

A. So, we had a copy of the Pittsburgh Press, which headlined this news—we were commenting on it. Steve Nelson made this statement, commenting on this headline: "We have the atom bomb now and the enemy will not be in such a God damned hurry to start war now," and in the course of the day, and succeeding days, this was the theme in the Party—"we have it, the enemy . . ."—meaning the United States—"does not have it," over a period of quite some time.

Q. Now, do you recall the month of April, 1949?

A. Yes.

Q. In regard to that——

The Court: Wasn't that the date, or the month of this incident?

A. I think it was sometime later, your Honor. It seems to me it was in September. It seems it was in the fall, when the announcement was made. The date this was headlined for the first time in the newspapers is the date he said that.

Mr. Cercone:

Q. Now, when Nelson, this defendant, said, "Now we have the bomb" who did he mean?

[fol. 1455] A. He was referring to the Pittsburgh Press article—

Q. Who did he mean?

A. The Soviet Union.

Q. The Soviet Union?

A. That is right.

Q. And in connection with that, were you, as a Party member, instructed who your leader was?

A. In connection with——

Q. With your Party work?

A. In my Party work——

Q. Who was your leader?

A. Well, I attended many Party meetings; our leader was "Comrade Stalin."

Q. And how was that brought forth in your meetings and in your activities?

A. Well, for example, if we had a meeting, or a Party class, perhaps Steven Nelson, Bill Albertson, or myself, if we were referring to Stalin, or something that he wrote, we would say that "I agree with Comrade Stalin," or we had songs in the Party where we would sing "Comrade Stalin is our leader"; and at all times he was "Comrade Stalin," our leader, and we were part of the International Soviet.

Q. Now, as a member of the Communist Party, in carrying out the aims and policies of the Party, were you instructed specifically what to do if you were ever called by a government agency, as a member of the Communist [fol. 1456] Party, to tell what the purposes of the Party were, during this period that Steve Nelson was District organizer?

A. Yes, sir.

Q. What was that instruction?

A. The instruction was to refuse to answer on the grounds of the first and fifth Amendments of the Constitution.

Q. Now, do you recall the month of April, 1949?

A. Yes, sir.

Q. What occurred at that time, with regard to this instruction?

A. Steve Nelson was subpoenaed to appear before the Committee on Un-American Activities. He made the trip to Washington. He stopped in the office of the American Slav Congress when he returned. George Wuchinich was in the office, and I was in the office, and Steve was very jubilant and making remarks like, he was laughing, and he says, "Well, I guess I didn't tell those bastards anything down there." He was laughing about it.

Q. By saying "bastards down there", who did he mean?

A. He meant the Congressional Committee in Washington.

Mr. Nelson: Objection.

The Court: Objection overruled. Exception noted.

Mr. Cercone:

Q. He meant?

A. The Committee we were discussing, that was the [fol. 1457] subject of the conversation.

Q. All right.

A. And then George Wuchinich made a remark, "We should get the machine guns and mow those bastards down," and Steve Nelson said——

Mr. Nelson: Objection, your Honor.

The Court: Objection noted, overruled, exception noted.

A. And Steve Nelson commented, "Not yet George, we are not ready for the machine guns yet."

Q. Now, did you, or the Party members of the Western Pennsylvania Communist Party carry any symbols?

A. We had a Hammer and Sickle as a symbol, yes, and we had our song.

Q. Were you told how you were to consider the United States, in regards to your work as Communist members?

A. Yes, sir. The United States was always referred to

as "An imperialistic government;" "an imperialist aggressor"; in conversation, and debate, that the Soviet Union—and at all times look upon the Soviet Union as our mother country, and the United States was the enemy. This was absolute in the Party, except whenever we had that alliance during World War II when we were supposedly allies—or rather, the Soviet Union was allies with the United States.

Q. After that did you revert back?

A. Yes, sir.

[fol. 1458] Q. Now, in the Party work, and in the discussions in the meetings was the possibility of a war between the United States and the Soviet Union discussed?

A. Yes, sir.

Q. And when that was discussed what was said about it?

A. This was handed down on the basis of this particular excerpt I read, the passage which was reprinted in reports that were issued, and used as a guide to the American Communists in case of a war with the Soviet Union.

Q. What were you going to do?

A. In case of a war with the Soviet Union we were to oppose our government, even to a point of revolution.

Q. Now, did you discuss, as a member of the Party, during Nelson's term as District organizer of this District, the matter of the propaganda of Peace?

A. Yes, sir.

Q. And how was that to be done?

A. The Peace movement that was ordered by the National Board of the Communist Party was to be organized by Communists by going to various mass organizations, clergy, trade unions, and building a peace drive by means of resolutions.

Q. What was the purpose of that?

A. The real purpose of the drive was to lull the people of the United States into a sense of security, because all the time we are talking about peace, we would always attack the United States; talk about destroying the atom bombs here; about disarming the United States—should [fol. 1459] throw our arms away, but we would never say anything about the Soviet Union. As a matter of fact we opposed universal military training here, but we never said anything about universal military training in the Soviet

ion, where it had had it since 1917, which every Com-
nist knows.

Q. As a member of the Communist Party, under assign-
nt by the F.B.I., from February 1943 to February 1950,
ll your discussions and meetings and Party work, in your
ding of books of the Communist Party literature,
gazines, pamphlets and other paraphernalia, what were
aims and purposes of the Communist Party?

A. The aims and purposes of the Communist Party was
overthrow——

Mr. Nelson: This is objected to, your Honor. This man
not been qualified as an expert. On his previous testi-
ny he admitted he did not know anything about these
ks, he hardly ever read them, or didn't understand, or
n't know about them.

The Court: Objection overruled, exception noted.

(Answer read.)

A. —I have attended some, just roughly, over 2000 Party
etings in the years I was in the Party. I listened to
l. 1460] members of the Communist Party of the Eastern
ropean countries who, in meetings—I attended a meeting
New York City with Steve Nelson, and the great Dr.
ar, of one of the Eastern European countries, made a
port—Steve heard this report. He agreed with it. He
d, "Remember, Comrades, you are Communists first,
l Americans second. You are part of——"

Mr. Nelson: Objection.

The Court: Objection overruled. Exception noted.

A. —on the basis of all the things I have heard in the
rty, I know the purposes and the aims of the Party to be
overthrow of the United States government by force
[violence; plan, set up a dictatorship in this country.
l have heard many comrades discuss the ultimate liqui-
ion of one third of the population of this country, if
y are successful.

Mr. Nelson: Objection, your Honor, that is a plain lie.
The Court: Objection overruled. Exception noted.

Mr. Cercone:

Q. Was that the policy while this defendant was District
ganizer of the Communist Party of Western Penn-
ol. 1461] sylvania?
A. Yes, sir.

Mr. Cercone: You may cross-examine.
Mr. Nelson: Your Honor, I am not prepared at this time
cross-examine this witness.
The Court: I think you may proceed to some extent.
Mr. Nelson: Well, it might result in my going over the
ne questions tomorrow morning. I think it would be
ter if you recessed now. There would only be a loss of
ee quarters of an hour. I have no way of knowing who
next witness was going to be. I didn't bring any ma-
ial with me that would enable me to handle this cross-
mination properly.
The Court: Very well, we will recess until tomorrow
rning at 9:30 o'clock.

l. 1462] Wednesday, January 9, 1952. Morning Session.
let pursuant to adjournment and the taking of testimony
tinues:

latt Cvetic, recalled, resumed his testimony as follows:

Direct examination (continued).

Mr. Cercone:

. Mr. Cvetic, before we recessed yesterday, I omitted to
you whether or not the defendant was paid by the Party
his work in the organization?
. Yes, sir, he was.
. How do you know that?
. Because he was—he was referred to as a paid func-
ary of the Communist Party.
. Now, yesterday you also testified regarding these
xs, Commonwealth's Exhibit No. 50 being the History
he Communist Party of the Soviet Union, Common-
lth's Exhibit No. 169 being State and Revolution, Com-
wealth's Exhibit No. 167 being Foundations of Lenin-
Commonwealth's Exhibit 15 being the Communist
ifesto, and Commonwealth's Exhibit No. 168 being the

orship of the Proletariat. Now, I ask you, at that
whether these books were read during the period of
t 1948 to 1950?
463] A. Yes, sir.
And what was taught out of these books in that——

Nelson: Objection——

—in your two-year term?

Nelson: Wait a minute. I think it ought to be stated
and who was present.

Mr. Cercone:

During the classes you spoke of yesterday?

Nelson: Well, as I recall, your Honor, he spoke about
ass with which I was not connected, according to his
ony.
Court: Well, now, be more specific.

Mr. Cercone:

How many classes did you have with regard to these
and general classes of the Communist Party?
Well, I, myself, conducted classes in the Lawrenceville
f the Party, in instructions of the district.
And about how many classes did you hold?
Well, we had—we always had discussions with
s. As a matter of fact it was one of the part of
ommunist program to have discussions at every
464] meeting.
On these books?
On the basis of the teachings of Marx and Lenin,
nese were books that were used in some of these
sions.
And how many classes—were these classes under the
ision of this defendant?
Yes, sir.
And how many classes—was there a special class held
time under the supervision of this defendant?
Yes, there was.
And where was that held?
At 440 Wood Street.

Q. And how long did that last, that school?
A. Three months, approximately.
Q. And how often would you meet there?
A. Well, we would meet sometimes once a week, maybe
ss a week, but it was a weekly class.
Q. In regard to that professional school, what was taught
of these books?
A. Basically the overthrow of the United States Gov
nment by force and violence.
Q. All right. Now, one more question: Did Nelson attend
se classes?
A. No, sir.
Q. But they were under the supervision of the defendant?
l. 1465] A. Yes, sir, the classes were——

Mr. Nelson: Object.
The Court: Well, it's repetition of what he said before.
Mr. Cercone: All right. Cross examine.

Cross examination.

Mr. Nelson:

Q. I think you testified that you attended St. Vincent's
lege, did you not?
A. Yes, sir.
Q. For how long a period?
A. Two years.
Q. Where was that school?
A. Latrobe, Pennsylvania.
Q. I think you testified that you took a course in a busi
s college—right?
A. That's right.
Q. How long?
A. Oh, I think that took about 16 or 18 months, I grad
ed.
Q. And when did you graduate from that school?
A. I think it was '26 or '27.
Q. After you graduated where did you go to work?
l. 1466] What was your first job?
A. I. W. Scott Company.
Q. Where was that?
A. 500 Liberty Avenue.

nd how long did you work there?
guess about three years.
nd what did you do there?
was a billing clerk.
see. How much did you make on that job?

Cercone: That is objected to, your Honor, as being
ant.

ction overruled.

think I started around $12.00 a week; I think I was
around $18.00 or $20.00 when I quit.

Mr. Nelson:

hen I believe you testified you took a course in crim-
, didn't you?
es. I did.
nd where was that?
t was a correspondence course. I don't know—I
recall the exact name but it was an International
of Criminology.
nd what was that—you had to write——
467]. A. That's right.
nd send the stuff back every week?
es.
nce a week or so?
think it was once a week.
nd how long did that course last?
h, ten, twelve months.
nd where was that school located?
eattle, Washington, as far as I recall.
ou aren't sure?
think it was Seattle, Washington. That was about
s ago, Seattle, Washington.
ut you wrote a letter approximately once a week?
es.
ut you forget where it was?
didn't forget. I said Seattle, Washington, as far
call.
s far as you recall?
hat's right.

what did you do after you left the job you pre-
stified to?
nt to work for Etna Furniture Company.
long did you work there?
ut a year.
where did you go from there?
eral Motors, Radio Corporation.
Where is that at?
y were located in East Liberty.
what was your work there?
s a salesman. . .
how long did that last, did you say? A year?
ut a—about ten months, I think.
where did you go after that? What was your next
Then I went to work for my dad in the service
sines. Then I went——
t year was that?
I don't recall the year; must have been around
t was the job you had after that?
I worked—did the service station work for about
our years; I operated a station on my own in
rg. After that I went to work on the WPA.
was around what year?
around '35.
t kind of work did you do on the WPA?
rked for the Weather Bureau for a while.
rk?
tistician. I worked at the Western Penitentiary
Run for the Department of Justice on a crime
at lasted about a year or more.
that while you were on WPA?
sir.
Q. Have you got a—is there any record of that
ey you conducted anywhere?
I presume it would be in the hands of the De-
of Justice. I don't know.
where did you go—what was your next job that
ter you had the job on the WPA?
in—my next job in December 1937, I went to
he Pennsylvania State Employment Service.

Q. That
A. Decem
Q. And h
A. About
Q. Eight
A. Uh-hu
Q. And i
job I believ
FBI to wor
A. Yes, s
Q. And w
with the U.
A. How's
Q. Strike
by the FBI
went to wor

[fol. 1470]
sylvania St

A. That's

Mr. Cerc

Mr.

Q. Well,
A. Yes.
Q. I see.
approached
A. They
supply then
munist Part
Q. Were
that was be
that job tha
A. No, th
munist Part
ployment Se
Q. And
A. And t
Q. And I
Party about

as when?
ber of '37.
w long did you work with the U.S.E.S.?
eight years.
ears?
.
was while you were working on the U.S.E.S.
you testified that you were approached by the
for them; is that right?
.
s that when you first went to work on that job
.E.S.?
that?
that. I'll rephrase it. Were you approached
o go to work for them about the same time you
on the U.S.E.S. job?

Mr. Cercone: I think the witness said the Penn-
te Employment Service——

what I said.

ne: What's this U.S.E.S.?

elson:

o you understand that question?
was approached by the FBI in April of 1941.
And what did they ask you to do when they
ou?
sked me to join the Communist Party and
with information on the activities of the Com-
and its membership.
ey interested in any activities of the Union
ng organized amongst the employees then on
you were working on?
y were interested in the activities of the Com-
members working in the United States Em-
vice.

ir activities.
elieve you testified you joined the Communist
two years after that, didn't you?

ined the Communist Party, as far as I can recall,
Lincoln's Birthday in 1943.
hat would be about two years after you got the
] job on the U.S.E.S?
t's right——
mean the Pennsylvania Employment Service?
I got a job with the Pennsylvania State Employ
ice in 1937, so it was about four or five years after
work——
I see. It is true, is it not, that there was an
trying to organize workers on the job at the
you were working there; that is, organizing
to a Union at the time when you worked there?
we had—as a matter of fact there were two
the Employment Services one of them was the
nty and Municipal Workers of America, a CIO
en there was an A. F. of L. Union, I don't recall
—
h Union were you a member of?
first I was a member of the A. F. of L., later
member of the CIO.
ou make any reports to the FBI on the activities
on and Union workers, active workers in that
ir. I made reports to the FBI on the activities
mmunist Party members working in the United
oloyment Service, no matter whether they were
bers or not.
he Communist Party members carry badges
you could tell who they were before you were
f the Communist Party, Mr. Cvetic?
A. I knew who the Communist Party members
United States Employment Service.
new who they were, how? You knew because
ctive Union members, is that it?
r, because they would invite me to Communist
ngs, or would sell Communist Party literature,
vite me to Communist gatherings.
dn't you testify that you weren't in the Party,
te a little time before you got acquainted with
n't you testify to that?

A. Oh, I kn
and Ollie Slo
Q. Did they
A. No, but
frankly.
Q. So they
that the Comm
A. Some w
Q. All righ
time?
A. At the
States Depar
Ziv Corporati
Q. Which?
A. Ziv, Z-i
Q. What ki
A. It's a r
[fol. 1473] Q
for the Depar
A. Since M
Q. Have y
Justice?
A. No, sir,
Q. You're
A. No, sir.
Q. —staff?
A. No, sir.
Q. And sin
Department o
I mean——
A. Oh, I w
Q. Let's pu
working for t
work for ther
A. Oh, I w
make a guess
Q. You wou
A. No.
Q. It was
A. No, it w

w these people before. I knew Sid Horovitz,
n——
carry badges around?
iey advertised their Party membership quite

weren't so secret as you claim, were they,
unists operated in secret, were they?
re and some were not.
. Who are you working for at the present

resent time I'm a consultant with the United
ment of Justice, and I'm employed with the
n of Cinginnati, Ohio.

.
d of a corporation is that?
dio and television producing company.
'Oh! And how long have you been working
ment of Justice?
y of 1950.
u got a contract with the Department of

'm only on call when they need me.
ot on full——

May 1950 when you went to work for the
Justice, how much time did you put in there?

uldn't know. I mean I would have to guess.
it this way: How much money did you earn
e Department of Justice since you went to
in May 1950?
uldn't even hazard a guess; I wouldn't even

dn't make a guess?

ite a chunk, right?
sn't quite a chunk.

Q.
A.
M
[fol.
A.
Th
payi
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you
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if I a
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relate
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cuss
when
Q.
the D
The
confid

suppose you were paying them—right?
ut I——

one: This is objected to as being argumentative.

Objection overruled.

I have that question again?

rt: You answered it. He asked if you were
n and you said no.

Nelson:

when you work for them, how much do they pay

) a day and expenses.

imit to the expenses?

they are limited to transportation, if I travel,
day for sustenance.

you have no other contract with them under
are operating at the present time?

e no contract with anyone.

are some of your duties with the Department of

have the wording of that question, please?

read).

ness: Your Honor, I don't know—this question,
it, I would have to be discussing the business of
States Department of Justice, and that is con-
siness.

The Court: Oh, just in a general way. Does it
stifying in cases; does it relate to consulting
onfidentially and secretly; just in a general way.

hat I can say, generally, I am called on to dis-
with members of the Department, and to testify
alled on.

Nelson:

hat was the first occasion that you testified for
ent of Justice since you went to work for them?

t (to the witness): We will permit you to keep
your secret discussions with the Department.

but we will co
public nature.

Mr. Cercone
be made public

The Court:
what is public

The Co

Q. What pu
[fol. 1476] fied

A. Well, I d
fied in a case i
case. I testifi

Mr. Nel

Q. Just a m
City, you said

A. Yes.

Q. And do y
against?

A. I can't s

Q. And that

A. Oh, some

Q. What wa

A. Some tim

Q. In New

A. Yes.

Q. And you
not?

A. Yes, sir.

Q. What wa

A. Well, I t
Frank Borich.

Q. That was

A. '51, I bel

Q. Where w

A. In the F
[fol. 1477] Q

A. I testifie
International
zation——

npel you to answer anything that is of a

Yes, we don't think work in the FBI should
on that.
will limit the testimony and the question to
knowledge.

rt:

lic hearings have you appeared at and testi-
at the request of the Department of Justice?
n't recall exactly the first one, but I testi-
New York City known as the Dimitrichen
d——.

on:

nute. You testified in a case in New York

u recall the name of the person you appeared

ell it; I think it was Dimitrichen.
was when?
time in 1950.
that? 1950?
e in 1950.
ork City?

got paid for testifiying in that case, did you

the next case you testified in?
stified in a case, Frank Borich, the case of

1950, was it?
eve—'50 or '51.
s that?
deral Building in Pittsburgh.
What was the next case you testified in?
for the State of New York against the
Workers Order, a Communist Front organi-

Mr. Nelson: Objection, your Honor.

The Court: We will sustain the objection and order that stricken.

The Court (to the witness): Don't use any comments on it, Mr. Cvetic; just be directly responsive.

Mr. Nelson:

Q. That was not an Immigration hearing, was it?

A. No, sir. State of New York.

Q. State of New York?

A. Yes.

Q. Who contacted you to testify for the State of New York in that case?

A. The attorney for the State of New York.

Q. How did he know you?

A. I didn't ask him.

Q. Who recommended you to him, do you suppose? or do you know?

A. Frankly, I don't know. I didn't discuss this with him.

[fol. 1478] Q. What was the next case you testified in?

A. Well, I testified in a sedition case in this court room last Spring.

Q. And what was—were there any other cases you testified in?

A. Well, I testified in the case of Commonwealth of Pennsylvania versus Toni Nuss.

The Court:

Q. Toni who?

A. Nuss, N-u-s-s; that's Antoinette.

Mr. Nelson:

Q. And where was that, in Pittsburgh?

A. In Pittsburgh.

Q. And when was that, in 1950?

A. I believe it was '50.

Q. Did you testify in any other cases?

A. I testified in a case for the School Board against Dorothy Albert.

Q. That was in the City of Pittsburgh?

A. City of Pittsburgh.

Q. Any other cases in which you testified?

A. Yes, I testified in the case Commonwealth of Pennsylvania against Nathan Albert.

Q. That was in the City of Pittsburgh?

A. Yes, sir.

[fol. 1479] Q. And what other cases did you testify in?

A. Testified in the case of Commonwealth of Pennsylvania versus The Serbian Progressive Club of Wilmerding, Pa.

Q. Any other cases that you testified in?

A. These are all the ones I recall right now; there may have been one or two others.

Q. Did you testify at any trials outside of the ones you mentioned?

A. I may have, but these are all I recall right now. There may have been one or two others.

Q. You don't recall testifying in any other trials?

A. At this time I do not.

Q. You don't recall testifying in a New Kensington case, do you?

A. Yes, I testified in a case of—I guess it's Westmoreland County, or Commonwealth of Pennsylvania versus Harry Truitt.

Q. Well, were they any other trials you testified in; trials this time we are speaking about?

A. These are all I recall right now.

Q. Didn't you testify in a trial in Connecticut?

A. Well, that wasn't a trial. I think that was a—as far as I recall, a civil proceeding.

Q. Well, isn't that a trial?

The Court:

Q. What was the name of that case?

A. It was the—I think it was Draper and Adler, were [fol. 1480] suing the John T. McCullough and Mrs. McCullough, for $200,000 for calling him a Communist.

Mr. Nelson:

Q. Do you recall any other cases you testified in?

A. No. I think that may be—there may have been one or two others but this is——

Q. Well, now, in any of these cases that you testified in, did you always get your daily $25.00 and $9.00 expenses?

A. No, sometimes I did and sometimes I didn't. I mean——

Q. Yes. Did you ever get more than the $34.00?

A. No, I don't think so. I——

Q. You never got a flat fee for testifying in any case, did you?

A. I don't think so.

Q. I mean a flat sum?

A. No.

Q. Well, aren't you sure? Your answer is you don't think so.

A. No, I say I——

Q. Who besides you should know that?

A. Well, when you mention a flat fee I never agreed to any flat fee for testifying anywhere. I don't—if the fee is $4.00 per witness this is what I'm paid. If it's more, then——

Q. Did you ever get paid per head?

A. Per head?

Q. Piece work. Do you know what I mean?

[fol. 1481] A. Piece work?

Q. On the basis of conviction?

A. No, sir.

Q. What are your other means of income?

A. I am a technical advisor for the Ziv Corporation.

Q. Pardon?

A. I'm a technical advisor for the Ziv Corporation.

Q. Yes, and what does that bring you annually?

The Court: Well, now——

Mr. Cercone: This is objected to.

The Court: I think that's objectionable. The man's other income is a personal matter, Mr. Nelson. If he has other income, the amount of it, I think——

Mr. Nelson: Your Honor, he has radio programs that we read about in the paper, what it's based on——

The Court: Well, you can ask him.

Mr. Nelson: The fact that he's an experienced person ostensibly, and he sells——

[fol. 1482] Mr. Cercone: I object to these speeches——

The Court: Now, listen to me, gentlemen, a moment. I'll let you ask him what his duties entail in connection with the Ziv Corporation and whether it's based on his knowledge here, if you want to ask him that.

Mr. Nelson: Well, your Honor, I believe the point is——

The Court: Oh, as to the amount of his income, he admits he has income from that source, the exact amount of it, why——

Mr. Nelson: But it's selling articles about Communism——

Mr. Cercone: I object to these speeches——

The Court: The only thing that is involved here is whether he is a paid witness here. He says he's a paid witness here, and if you want to develop that he capitalizes [fol. 1483] on his information otherwise, why, you may do so, the exact amount of it is not relevant here.

Mr. Nelson: Well, your Honor, he sells articles, he makes speeches——

The Court: I'll let you ask him that, but I'm not going to make him disclose his actual amount of income. As far as this case is concerned, yes, you can ask him what he is getting paid here, and he has told you that.

Mr. Nelson:

Q. Well, do you get any income from articles that you sell to magazines that deal with your supposed experience in the Communist Party of Western Pennsylvania?

A. Not at the present time.

Q. Did you ever get any income from an article or articles written about your ostensible experience in the Communist Party of Western Pennsylvania?

A. Yes, sir, I did.

Q. And what were those articles?

A. They were articles that were published in the Saturday Evening Post, July of 1950.

Q. And what did those articles bring you?

[fol. 1484] Mr. Cercone: I object to that, your Honor

The Court: Do you mean by way of compensation?

Mr. Nelson: Yes, your Honor.

The Court: The objection is sustained.

Exception noted.

Mr. Nelson: Well, your Honor, we were allowed to go into this question in the other trial.

The Court: Well, I'm not going to make the man disclose his personal income. Now you can show——

Mr. Nelson: He is making blood money, your Honor; he is making money on testifying——

Mr. Cercone: I object to these speeches.

The Court: The amount of it I said I would not compel him to disclose. We will grant you an exception, and you will be limited on your question. You can ask him anything else concerning it but the exact amount of it is his own [fol. 1485] personal information and has no bearing on this case and I will not make him disclose it.

Mr. Nelson: Well, it has a bearing, your Honor.

The Court: Well, that's where you and I differ, and I have sustained the objection and have granted you an exception, so proceed.

Exception noted.

Mr. Nelson:

Q. Do you get paid for making speeches at places—at organizations and gatherings dealing with the ostensible experience you had in the Communist Party of Western Pennsylvania?

A. Sometimes I do and sometimes I do not.

Q. Well, do you get paid for radio speeches you make based on your ostensible experience in the Communist Party of Western Pennsylvania?

A. Sometimes I do and sometimes I don't.

Mr. Nelson: Is the Court going to permit me, your Honor, to go into the question of amount in these cases?

The Court: I am not.

[fol. 1486] Mr. Nelson:

Q. Well, you appeared on a television program, didn't you, dealing with your ostensible experience in the Communist Party of Western Pennsylvania?

A. Not one; many programs.

Q. Many?

A. That's right.

Q. And you always got paid for those programs?

A. Not always.

Q. How many times did you get paid—fifty per cent of the time?

A. No, I don't know how many. I wouldn't guess.

Q. Did you sell any—sell your story about your ostensible Communist activities to a moving picture company?

A. Yes, sir.

Q. And you got quite an amount for that, didn't you?—quite a sum?

Mr. Cercone: I object to that, your Honor.

Objection sustained.

Exception noted.

Mr. Nelson:

Q. Then, according to the papers yesterday, you sold a story to this—a contract for a year to this Ziv Corporation; is that right?

A. Ten years.

[fol. 1487] Q. Ten years? No wonder Harry Alan Sherman is sore at you——

Mr. Cercone: That is objected to, your Honor.

The Court: The objection is sustained. We will strike it from the record.

Mr. Nelson:

Q. Well, since we can't go into the amount and how much you made on specific jobs in the course of the year 1950, what was your total amount?

Mr. Cercone: This is objected to, your Honor.

Objection sustained.

Exception noted.

Mr. Nelson:

Q. I believe you testified when you worked for the FBI that you lived in the William Penn Hotel; is that right? Pittsburgh?

A. Part of the time, yes, sir.

)id you know the manager of the William Penn Hotel
time, personally?
'es, sir.
nd who is that?
t was Tom Troy.
488] Q. Did he know your business?

Cercone: This is objected to, your Honor, as being
erial to the issue.
Court: Well, I can't see any purpose in it but I'll
the question to be answered as asked.

The Court:

)id Mr. Troy know your business?

Court: (to counsel) I suppose by that you mean did
w of his connection with the FBI?
Nelson: Right.
Cercone: I object to giving—having this witness give
formation that would conflict with his duties with
BI.
Court: Well, if you think that it does, I will sustain
jection, because I don't see any relevancy here.
489] Mr. Nelson: No, your Honor, I—as the next
estions would develop——
Court: The only point that I see you can make on it
ther or not anyone else knew of his connection with
BI; is that the point you want to make?
Nelson: No. I want to know whether the manager of
tel knew.
Cercone: It certainly makes no difference, your
, what any one person knew, as to the relevancy in
se.
Court: Well, if you think there may be some harmful
from it other than its effect in this trial, I'll sustain
jection. I can't see the relevancy of it myself. The
on is sustained.
eption noted.

Mr. Nelson:

So it is true, isn't it, Mr. Cvetic, that Mr. Troy knew
usiness when you lived in the William Penn Hotel,
490] he knew you were connected with the FBI?

ercone: This is objected to as the same question.
ourt: It is the same question. The objection is sus-

ion noted.

r. Nelson:

ile you worked for the FBI and while you lived in
iam Penn Hotel, it is true, is it not, that you were
nformation to Mr. Troy about Local 237 of which
eenly interested?

ercone: This is objected to as being entirely irrel

ourt: The objection is overruled. If he wants to
motives, the activities of this witness or not as he
them in connection with FBI matters, but for other
s I will permit it to be shown to affect his credibility
ness, but I will not permit any specific names to be
ed or other persons involved in this matter. If he
01] wants to ask him the question as it is done in
ses concerning, I think, Mr. Crouch and his activi-
he Miami Herald, and that it was for purposes con-
Union organizations, or strikes, I'll permit that to

ercone: Your Honor, I ask that an offer be made at
ar concerning this phase of the cross examination.
Nelson: I think that's another way of blocking

ourt: The offer is apparent. He wants to discredit
ness on the basis he wasn't performing duties as an
ent, but had other purposes in mind.
Court (to the witness): You may answer the ques

et me have the question, please.

Court: Read the question.

492] (Question read.)

o, sir.

Mr. Nelson:

low's that?

o, sir.

Court: Was Local 237 a Union at the hotel?
Nelson: Right.

Mr. Nelson:

Ir. Troy was head of the Chamber of Commerce, of
ırgh at that time, wasn't he?

Cercone: I object to this.
ection sustained.
Court: I told you I would not permit any specific
n of parties or activities concerning individuals.
eption noted.

Mr. Nelson:

)o you deny that Mr. Troy was interested in the af
f Local 237, Mr. Cvetic?

493] Mr. Cercone: This is objected to.
ection sustained.
eption noted.

Mr. Nelson:

sn't it true that you were a guest of Mr. Troy for
ars at that hotel, the most expensive hotel in town
hat true?

Cercone: This is objected to.
ection overruled.

The Court:

)id you pay your way at the hotel or were you a guest
Troy?
paid my way, Judge. You get nothing for free over

Mr. Nelson:

low much did you pay over a period of five years at
illiam Penn?

Cercone: This is objected to as being irrelevant, your

Nelson: Well, he says he paid for it——

94] The Court: Do you want to know whether he reduced rate, or whether he paid full rate; ask him estion

got a monthly rate. They have monthly rates, and

Mr. Nelson:

ow much was the monthly rate?
e, when I started I think it must have been about nonth, or something like that.
0 a month?
0 or $85.
re you sure about that?
said about $80 or $85 a month.
hat was the highest you paid in there?

Cercone: This is objected to.
Court: The objection is overruled.
Cercone: We are getting beyond the scope of the xamination.
Court: Well, cross examination has considerable so we will permit the question.

95] The Court:

What was the highest you paid to the hotel per month?
At that time I think it was around $110.

Mr. Nelson?

At that time you paid about $100 a month, or $110?
Around that.
Well, what was your income from the FBI at that

Cercone: This is objected to, your Honor.
Nelson: These questions were answered, your Honor, er trials, and this witness claimed that he got just bit of an income from the FBI ——
Cercone: Let the Court decide on the objection.
Court: The objection is overruled.
Court (to the witness): Answer the question.

$85 a week and expenses.

. Nelson:

aat what you got from the time you started to work
] for the FBI?'

first 22 months that I worked for the FBI, I
ithout pay, cost me a couple thousand dollars to
this conspiracy.

e——

er——

e, it cost you money?

I was on my own. When I first went to work
me $15 a week and when I left they were paying
week.

you were living at the hotel here for a period of
and you say you paid from $80 to $110 a month?

t's right.

your room there?

sir.

you say that Mr. Troy did not give you any con-
because of the reports you made on the Union ac-
s that your claim?

ade no report on Union activities. You said that.
reporting to him on that; I wasn't.

l, was he interested in the affairs of that Union
f the Chamber of Commerce?

reone: This is objected to.'

] The Court: The objection has been sustained.
etition, and we will sustain it again.

on noted.

Nelson:

, this picture you sold to the FBI—or, the pic
t your experience in the Communist Party, as you
e you worked for the FBI, which you sold to
Brothers, you got a considerable income from
you not?

reone: That is objected to, your Honor. We are
r the same thing again.

urt: Leave out the word "considerable" and I'll
e question to be answered.

The

Q. You
to Warner
A. Yes,

Mr.

Q. And
sale of tha

Mr. Cer
[fol. 1498]
Exceptio
Mr. Nel
of people
ness, maki
The Cou
witness he
with any
Mr. Nel
Mr. Cer
cause this
The Co
rule on it.

(At side

Mr. Nel
Mr. Cer
[fol. 1499]
body nam
Mr. Ne
a right to
The Co
that, whet
if his nam
Mr. Cer
form, and
very narr
The Co
Alan Shet
Mr. Ce

Court:

eceived an income from the sale of your rights
Brothers?
ir.

Nelson:

ho else derived an income from that, from the
article?

one: That is objected to, your Honor.
Objection sustained.
noted.
on: Well, your Honor, I want to show a group
ho are trying to make a racket out of this busi-
ng money on Communism.
t: You are only relating to one man, that's the
e. If you want to ask him if he was associated
thers, without naming them, you may.
on: Well, your Honor, the name that I——
one: I object to him mentioning any names be-
is just a speech and it isn't a part of the case.
rt: Come up to Side Bar, gentlemen, we will

bar):

on: Do I have a right, your Honor——
one: I object to him shouting at Side Bar.
The Court: You want to show whether some-
l on the indictment was involved in it?
on: Right. There are people here and I have
go into that.
rt: All right. I am going to permit you to do
ner he is called as a witness at this time or not,
is on the indictment.
one: Well, we will object to the question in this
f it is allowed we submit it ought to be restricted
wly.
rt: There is only one man he has in mind, Harry
man.
one: I mean the——

urt: There is only one question, was there anyone
iated with this case in any way who benefited by
f these rights to Warner Brothers; is that what
to know?

] Mr. Nelson: Yes, and a few more around that
much on it.

ourt: We will see what the names are. We will

f side bar)

r. Nelson:

anyone else connected with you or with this case
n income from the proceeds of that motion pic-

ll, I don't know who all is connected with this.
guess you'll have to——

ll, didn't you testify before the Grand Jury?

ercone: That is objected to, your Honor, as to
s testified to before the Grand Jury.

ourt: He's not going to testify to what it was.

elson: I didn't ask him to say what he testified to.
Did you?" It's a public record, it's known.

1] The Court: Well, it's understood. The name
eliciting is the name that appears on the indict-
Tell him the name that you want to know whether

r. Nelson:

l Harry Alan Sherman, your ex-attorney and the
claims discovered you——

ercone: I object to these speeches——

ontinued:)——receive an income from——

ourt: We don't know what Mr. Sherman claims, or
g about that, Mr. Nelson, and it isn't your right
what he claims. Now, if you want to mention the
Mr. Sherman", why that's permissible.

elson: Your Honor, it was brought out before, it's
r of public knowledge, I don't see——

The Court
[fol. 1502] kn
out before,
brought out
was mention
Mr. Cercon
admit that h
The Court
are asking w
appears on

The C

Q. Did he
your experie
A. Yes, si
Q. He did

Mr. N

Q. How m

Mr. Cerco
Objection
Exception

[fol. 1503]

Q. Well,
more; is th

Mr. Cerc
Objection
Exceptio

Mr. N

Q. Well,
Evening Pe
Warner Br
the picture
falsehood?

47—

It wasn't brought out in this trial; I don't
w anything about this what has been brought
ut I don't recall that anything has been
n this trial about Mr. Sherman. His name
l once or twice.

: He was just an attorney, that's all. We
's an attorney at the Bar.

Well, now, never mind what you admit. You
ether Mr. Harry Alan Sherman, whose name
is indictment——

urt:

share in any of the profits from the sale of
ces to Warner Brothers?

All right.

elson:

ch did he get?

e: This is objected to.
sustained.
noted.

Mr. Nelson:

e got a considerable sum, even though you got
t true?

e: This is objected to.
sustained.
noted.

elson:

hese stories that you sold to the Saturday
t, and the motion picture you marketed with
thers, is it true or is it not true what appears in
that bears your name, the story is based on

rcone: Your Honor, I object to this question.
on sustained.
ion noted.

. Nelson:

l, is it true or not true that in the motion picture
murder committed, ostensibly by myself?

rcone: This is objected to because that movie has
o do with this case.
] Objection sustained.
on noted.
son: Well, I want to show that these people spoke

rcone: Your Honor, I object to this—
lson: Will Mr. Cercone permit me to make a
?
cone: No, I won't permit you.
urt: Come forward, gentlemen.

bar):

son: Your Honor, I want to show that these peo-
old untruths and lies, and that their game is,
life income at the present time is based on the
se stories.
one: We submit that Cvetic never knew he was
ite a movie the nine years he was working——
Mr. Nelson: I think just a few questions——
rt: No one is ascribing to the authenticity of the

son: I want to show it, whether it is true or

rt: All right.
on: I want him to say it's a lie, and it is a lie.

one: I object to that.
rt: This movie is not portrayed here——
on: It's played in these theaters and every juror
and in that story there is the ostensible lie that
nist Party commits murder, and he knows that's

The Court
then that the
[fol. 1506]
The Court
some extent.
Mr. Nelso
it.
The Court
Mr. Cerco
that.
The Cour
capitalized
can argue th
Mr. Nelso
He does the
The Cour
Brothers do
suppose ther
[fol. 1507]
strate the f
interesting
is involved
Mr. Nelso
portant ave
He's a disr
put on a hal
is nothing
The Cour
the picture.
vised the ma
the picture
whether it's
but we're n
picture.
Mr. Cerco
The Court
[fol. 1508]
He can say
or portraye
public.

: Well, it is stipulated in front of the jury
movie——
Mr. Nelson: Is based on untruth?
: No, stipulate that the movie is fictional to

: Well, I object to that. You can't interpret

: To what extent do you want——
ne? We would have to go into a hearing on

: Well, you have demonstrated that he has
n them. Now, what more do you want? You
at to the jury.
: I want to show to what extent he will go.
same thing on the stand when he testifies.
: No, he is not responsible for what Warner
in making a picture any more than—well, I
e is some supervision when you sell a book to a
movie group, they don't pretend to demon-
acts as they actually occurred; they make it
or the public to view. So I don't think that
here, Mr. Nelson.
: I think, your Honor, it is closing a very im-
ne of showing the credibility of this person.
eputable character although he manages to
o of a saint at present, and I want to show he
more than a cheap racketeer.
: Well, we are not going into the details of
If you want to ask him whether he super-
king of the picture, or whether everything in
is exactly as he told it, or whether it isn't,
fictional to some extent, I'll let you do that,
ot going to let you go into the details of the

ne: That's going into the same thing.
: Oh, no, it isn't. He isn't going to explain the
novie. I'm going to let him go beyond that,
whether some of it is fictional and glamorized
d in an attractive way for the purchasing

Mr. Cercone: That's everything that the jury has to know about the movie——

The Court: That isn't the point involved. We don't care whether the jury saw it. I didn't see it myself, so I don't know.

Mr. Nelson: I read the story——

The Court: Well, let him admit it is in part fiction the way Warner Brothers portrayed it and put it on, but the details of it, whether it is——

Mr. Nelson: My intention in asking this question was to get an honest answer from this witness, that he stated an untruth and sold an untruth, and that has been used as poison against people like myself. That's the reason I'm on trial, your Honor.

[fol. 1509] The Court: Ask him this, whether the picture demonstrated his experiences as he told them or whether it didn't?

Mr. Nelson: All right, I'll do that.

The Court: You can ask that. Then, of course, it gets back to the point whether he told Warner Brothers or sold them his experiences as they actually happened, but he is not responsible, I guess, after that for what Warner does in making a picture that would sell to the general public.

Mr. Nelson: If I had my name attached to something I would take full responsibility for whatever it is.

The Court: I don't think you can hold these movie companies that close to it. They put on pictures——

Mr. Cercone: If we open up this phase of the case we would have the right to go over the movie and have him say [fol. 1510] what is true and what is not true.

The Court: I am not going into that at all.

Mr. Nelson: I hadn't intended to go into that, I want to go into the simple things.

The Court: Well, ask him whether when the movie was made if they demonstrated his experiences as he sold them to Warner Brothers, without alteration.

Mr. Nelson: I'll go with you on something of that line.

The Court: All right, but I'm not going into the movie and demonstrate where it varied.

(End of side bar)

Mr. Nelson:

Q. Well, does the picture "I was a Communist For The FBI" carry your name?

A. Yes, sir.

Q. It has your name attached to it. And does it portray the truth that you saw, as you saw things in the Communist Party?

A. With certain dramatic license that the studio ap- [fol. 1511] parently took it does portray the truth.

Q. It does portray the truth?

A. With certain——

Q. Then you have to answer the question: Is it true or is it not true that there was no such thing as murder in the experience that you had in the Communist Party?

Mr. Cercone: I object to that question; your Honor, as getting into the movie. We would have to show the movie here and have Mr. Cvetic tell us what was true and what was not true.

Mr. Nelson: I think it's a simple proposition, he's trying to cover up here——

Mr. Cercone: I'm not covering up anything, but we don't want to be responsible for any movie.

The Court: I haven't seen the movie. I don't know whether any juror has. This witness hasn't testified anything to murder, and any consequences of any act, so whether the movie does or does not, I don't know, but I'm not going to get into the details of the movie. It isn't here, and the only [fol. 1512] point that you are privileged to make here is, did this witness capitalize on his experiences and sell those experiences to the——

Mr. Nelson: They weren't his experiences, your Honor. That's the only point that I want to make. They are lies——

Mr. Cercone: Your Honor, I object to these speeches again——

The Court: I don't care about that, whether he sold lies to the movie house or not.

Mr. Cercone: Let him prove that there are lies here, not in the movie——

The Court: Oh——

Mr. Cercone: Well, we have to put a stop to these speeches.

The Court: I am putting a stop to them, and I'm not going into the details concerning any movie.

[fol. 1513] Mr. Nelson: Well, your Honor, he capitalized on an ostensible experience that he had in the Communist Party——

The Court: Well, I don't——

Mr. Nelson: —which is based on absolute falsehood, and the prosecutor is trying to block this out because he knows——

The Court: He isn't blocking it off, I'm blocking it off. I'm not going——

Mr. Nelson: Well, I object to that ruling.

The Court: —I'm not going to try this case on the basis of a movie. The man says that he sold his experiences, that the movie was made, certain licenses were taken, and what they showed on the screen has varied from what he has testified to here, I don't know and I don't care, but I'm not going to permit it to be offered to the jury where there is any variance. The jury will be instructed that they are trying this case on what they hear here and here [fol. 1514] alone. Beyond that I'm not going to permit either side to go.

Mr. Nelson:

Q. While you were a member of the Communist Party——

The Court: I think he has answered as fully as I will permit him to answer on that, that he sold his experiences there, they took dramatic license, or whatever kind of license they are entitled to take in making a picture, I suppose they glamorized it or made it attractive to the purchasing public, and beyond that I am not going to go. But the point you are making is that he sold the experiences and was paid for them, and that reflects on his credibility here as a witness, so that is as far as I will let you go, Mr. Nelson. If you have any objection to the ruling I will grant you an exception.

Mr. Nelson: Well, I object.

Exception noted

Mr. Nelson:

Q. While you were a member of the Communist Party, did you see any member of the Communist Party in this district commit murder?

[fol. 1515] Mr. Cercone: That is objected to, your Honor.

Mr. Nelson: Wait a minute, now. Sure you are objecting——

Mr. Cercone: Is this based on your objection to the movie again?

The Court: The objection is sustained. No one in connection with the Communist Party is, as I understand the indictment on the basis of sedition, is charged with accomplishing anything, so the results are immaterial here, and in fairness to you and the witness and the jury too, if he knew of murder being committed and concealed it, he would be committing a crime himself.

Mr. Nelson: My only point is, this man is making a racket out of this business.——

The Court: You brought in the matter of murder. No one here knew anything about that picture until you brought it up, Mr. Nelson, so I think——

[fol. 1516] Mr. Nelson: Oh, I think everybody knows about it, your Honor.

Mr. Cercone: I think this defendant is trying to prove his case by a movie. If he wants to show any falsehoods here, here is the man right here and now is the time to do it.

Mr. Nelson: I want to show that this man would go to any steps to make money——

Mr. Cercone: Show it here right now——

Mr. Nelson: Then why do you block it off——

Mr. Cercone: Let's not go into a movie.

The Court: If that is your purpose, I think the jury understands your purpose and the Court understands your purpose, but I'm giving you the extent of your privilege in order to demonstrate it. Mr. Nelson, proceed on to some other subject.

[fol. 1517] Mr. Nelson:

Q. Well, would the radio series that you sold just recently include the idea that Communists commit murder?

Mr. Cercone: That is objected to, your Honor. That isn't in this case at all.

Objection sustained

Exception noted

Mr. Nelson: Well, your Honor, I believe that the Court has blocked a very important avenue of my examination.

The Court: Well, we have granted you an exception. If we are wrong on it your record is protected, Mr. Nelson.

Mr. Nelson: If I can't go into these matters it is impossible for me to expose this only witness who was connected with me in any way in the last two years, in the period under the indictment, and I believe that I should be permitted to examine him as I examined others to the best of my ability, not being a lawyer, and show him up for what he is.

[fol. 1518] Mr. Cercone: Your Honor——

The Court: You may ask on the point of murder, if you want, whether he told Warner Brothers that he observed anything of that nature, I think probably that would—or ask him about any—well, if I open the door to you in one particular I'll have to open it up in every particular and we'll be trying this case on the basis of a movie or a radio program——

Mr. Nelson: But he's a witness, your Honor.

The Court: He's a witness——

Mr. Nelson: And his story is going to be put over to the jury.

Mr. Cercone: I object to this again if we are going to continue on this movie. I submit this man was active with this defendant over a period of five years. Why didn't he ask him about that?

Mr. Nelson: We'll come to that; we'll come to that.

[fol. 1519] Mr. Cercone: Well, get on it.

Mr. Nelson: Don't worry, we'll get to that.

Mr. Cercone: Well, don't talk about a movie.

Mr. Nelson: I know you don't like to talk about——

The Court: There's only one——

Mr. Cercone: I've never even seen it.

Mr. Nelson: I'm sure you didn't see it——

The Court: Now, just a minute, gentlemen. If you listen to me I'll try to be as fair on this and act on it as lawfully

d as correctly as I see it. Any witness here who makes statement can be confronted with a contrary statement ade elsewhere, to affect his credibility.

Mr. Nelson: That's my point, your Honor.

ol. 1520] The Court: But he has made no statement here ncerning the commission of any crime on the part of you anyone else elsewhere; and I don't think that you can ing in to confront him here with something someone else l, even though he had a part in it to the extent of selling e rights to that other party, Warner Brothers. Now, gardless of the movie, regardless of the radio program, ll let you ask him what he did to sell, if he got a copy of s experiences that he sold to Warner Brothers, or you ight ask him concerning what he told them, but what they d thereafter I'm afraid is beyond the realm of cross exnination here, Mr. Nelson.

Mr. Nelson: Well, your Honor, I think if a picture or article bears a man's name and it is sold to the public the truth, I believe we ought to have the right to exnine him, especially when he appears to be the key witss of the prosecution.

Mr. Cercone: I think the best evidence is right here in ourt. We have got the witness——

fol. 1521] The Court: No, he's a witness, he's on the and, and subjects himself to extensive cross examination he makes a statement here; if he made a statement to e contrary elsewhere, why, of course, the defendant does ave this argument, that the witness said here "That pieure does portray my experience with certain license taken y the producer." Now, it is a very close line there that nises me to hesitate to shut him off. I have done so as ar as making a specific mention of things if the picture concerned; but we have gone so far on this matter and certainly wouldn't like to do an injustice to the defendant r make an error here that——

Mr. Cercone: We don't want to shut off anything that ould prejudice the defendant——

The Court: ——that would cause grounds for a new trial r a retrial on this matter.

Mr. Cercone: If the Court is considering the question f murder, I'm perfectly willing——

[fol. 1522] Mr. Nelson: I object to the Court's remarks, your Honor. You made a statement here and I move for a mistrial. You made a statement here implying that this case is not going to be decided in this court room. You made a statement here, your Honor, that this case is going to go up for appeal and for higher Courts, and therefore——

The Court: You are making that——

Mr. Nelson: You made a public statement here.

The Court: The new trials are granted by this Court, not by any higher Court.

Mr. Nelson: It doesn't concern this jury, and your weight should not be thrown in at this stage that this trial is not going to be settled in this court room, and I move for a mistrial.

The Court: I told you, and I'm telling this jury, and I'll state it again for the record for your benefit and the [fol. 1523] benefit of anybody else, I'm trying this case to the best of my ability, to see that you get a fair trial, and if I make any mistakes I'm endeavoring to give you the full benefit of the record so this record will show that you have objected and that your objections have been noted and that your exceptions to the rulings have been noted. The purpose for that is to assure you that if a mistake is made in this trial that you will be granted a new trial.

Mr. Nelson: Well, you stated you wanted to make sure I don't get another trial.

The Court: No, I didn't say that——

Mr. Nelson: On the basis of an error.

The Court: I said to you that I'm endeavoring to prevent any error, to prevent the necessary retrial of a case, in this case as in any other case, and that's my purpose here and that is the purpose of my hesitating and ruling out this opportunity that you are seeking to cross examine [fol. 1524] this witness on a movie or on a radio program. Now, if you haven't any objection, why, of course, there is no need for me to rule on it.

Mr. Cercone: We have no objection.

The Court: If you want to withdraw your objection about this defendant asking for particulars concerning the movie, that relieves the necessity for me to rule on it.

Mr. Corsone: As to that one question though. I don't
ink we should go into the whole movie because I haven't
the movie and I wouldn't be able to ask questions on it.
The Court: I haven't either.
Mr. Corsone: But if he wants to ask that question,
ether concerning murder in the movie, I'm perfectly
ing to have him ask it.
The Court: All right. Ask the question.

1525] Mr. Nelson:

Q. So, Mr. Cvetic, the picture you sold to the Warner
the which infers that I committed murder, isn't true;
't that so?
A. I don't believe that the movie infers that you com-
ted murder; I don't recall your name even being used
the movie.
Q. No, of course not, you saw to that, but you said the
mmunist leaders of Western Pennsylvania; isn't that
at you said?
A. First of all, may I correct you, Mr. Nelson, I didn't
to that.
Q. Well, it bears your name, you're responsible for it,
n't you? You claim it's the truth. You claim you saw
t in the Communist Party while you were in it?
A. I says——
Q. You're lying; isn't that so——

The Court: Just a minute, now. Give the man a chance,
answer the question before you call him a liar.

Mr. Nelson:

Q. Go ahead, answer it, Mr. Cvetic.
A. What is the question?

The Court: Read the question, but ask the second part
[1526] being attached thereto and strike that from the
ord.

(Question read as follows: "Well, it bears your name,
u're responsible for it, aren't you? You claim it's the
th. You claim you saw that in the Communist Party
ile you were in it?")

Yes; I testified that it was the truth with certain
atic licenses that were taken.

Mr. Nelson:

Dramatic licenses, dealing with the question of murd
that just a little dramatic incident?
Well, I mean the Communists did murder Trotzky
you know that, Steve.
Now, Cvetic, I'm asking you what do you know about
uestion that we are dealing with here in Western
sylvania. Did you see any such things committed

Any such what things?
Murder.
No, sir——
You know what I'm talking about.
No, sir.
527] Q. All right, Mr. Cvetic——
If I did I certainly would have reported it to the law.
But your picture does travel all over the United
telling the people o' this country that you, an agent
FBI, saw this thing committed here; isn't that so?
That's what you call dramatic license, Steve.
Don't call me Steve——
Do you want me to call you "traitor"?

Court: No, you call him nothing——

Mr. Nelson:

If you do, I'll——

Court (to the witness): You just answer the ques

Mr. Nelson:

So it isn't true, is it, Mr. Cvetic, that there was such
ng in the Communist Party of Western Pennsylvania
urder?
No.
Yet you got plenty of blood money for it, didn't you?

Cercone: I object to this kind of an argument. And
ject that this defendant——.

[fol. 1528]

Mr. Cerc
tainly does
The Cou
Mr. Nels
The Cou
Mr. Nels
is bloodshe
The Cou
Mr. Nels
I'm sorry,
The Cou

Recess.

[fol. 1529]

Matthew
lows:

Cros

Q. So it
told and d
ture about
pletely an
A. No,
Q. It's
A. No,
Q. Isn't
A. I did
Q. That
mitted is

Mr. Cer
that it wa
Mr. Nel
The Cou
[fol. 1530]
Mr. Nel
towel, go'
Mr. Cer

The Court: Strike out the last part
Cone: —is putting on an act of being angry cer-
sn't take away from the testimony——
rt: Oh——
son: Now, look——
rt: This man is on trial here——
son (continued): All you are trying to get here
d in this court room——
rt: Just a minute——
son (continued): That's all you're trying to get——
your Honor——
rt: We'll take a ten minute recess.

After recess.

Cvetic, recalled, resumed his testimony as fol-

ss-examination (continued):

Mr. Nelson:

is true, then, Mr. Cvetic, is it not, the story you
eriyed money from which is supposed to be a pic-
the truth in the Communist Party is really com-
untruth, isn't it?
sir, that isn't——
a falsehood, isn't it?
sir.
that what you testified to a minute ago?
not.
the question whether you had seen murder com-
untrue?
cone: Now, your Honor, the witness has answered
as purely dramatic license——
lson: Now, don't——
rt: Objection overruled.
A. I testified that dramatic license was taken.
lson: If you are ready to throw in the rope, or the
ahead and do it.
cone: Now——

urt: Strike those remarks out.

son: You are worried about your key witness.

rone: Don't worry about that.

Nelson:

else made money with you out of that lying story?

rone: That is objected to.

rt: He has told you the one that was associated.

ictment, Harry Alan Sherman.

Nelson:

ight. Did anyone else make money on that with

sociation with you——

Mr. Nelson: That's important, your Honor.

corporation which is dealing with a racket——

rone: I object to that.

: sustained.

rt: Unless there is some connection with this case

ow he operates it or sells it individually, with

corporation, that is immaterial here.

on: All right.

Nelson:

wrote that lying story for you which bears your

rone: This is objected to.

rt: The form of the question is objectionable and

o it is sustained.

Nelson:

wrote the story you sold for—to Warner Broth-

is based on falsehood instead of truth——

Mr. Cerecone: Your Honor, I object to that

sustained.

n noted.

rt: Who wrote the story, do you want him to

t?

Mr. Ne

Q. Who wr

Mr. Cercon

Objection s

Exception

Mr. Cercon

regard all th

The Court:

time a state

stricken, to d

The Co

Q. Who wr

ers?

The Witne

[fol. 1533] th

The Court:

A. Pete Ma

Mr. N

Q. Who is

A. He's an

Q. What w

Mr. Cercon

Objection s

Exception

Mr. Nelson

people make

lying story—

Mr. Cercon

Mr. Nelson

sell it everyw

The Court

more comme

[fol. 1534] a

the realm of

Mr. Nelson

get around t

lson:

ote the story for which you got blood money?

e: I object to that.

ustained.

noted.

e: And I ask that the jury be instructed to dis-
ose speeches.

: The jury has been instructed before that any
ment is made that is objectionable and is
isregard it.

ourt:

rote the story as you sold it to Warner Broth-

ss: Your Honor, do you want me to answer
at?

: Yes.

artin.

elson:

Pete Martin?

n editor for the Saturday Evening Post.

vas his cut from the story?

ne: I object to the form of the question.

sustained.

noted.

n: Well, your Honor, I want to show that these
a chunk of money and they'll use this man's

ne: I object to that——

n (Continued): —embellish and dress it up and
where they can for money.

t: The objection is sustained. We will have no
ents on it, Mr. Nelson. Make another question
and we will see whether or not it comes within
f admissibility.

n: Well, not being a lawyer, your Honor, I can't
these legal——

ourt: I have told you before that we won't permit
rest of anyone else not named in that indictment or
in this case to be shown here, and I am going to
that ruling.

elson: I want to show, your Honor, that there are
who make money out of this——

ercone: I object——

elson: —and they use this type of a stool pigeon
lain ordinary——

ercone: I object to these kind of speeches, to get in
——

elson: —spy, in order to make money for them-

5] Mr. Cercone: I object to this, your Honor.

ourt: The objection is sustained. You may show
ssociated with others in doing it. He has told you,
tin, the editor of the Saturday Evening Post wrote
n, he told you Harry Alan Sherman was interested
ttorney, now if you want him to—if you want to
as to whether there were others associated with
hout naming them, you may.

r. Nelson:

right. Who else was associated with you in the
known as "I Was a Communist for the FBI", that
to Warner Brothers?

Moore from the Sun-Tele——

o?

Moore from the Sun-Tele.

who else?

ll, they were the only ones who were associated
here.

what was Mr. Moore's interest in this venture?

blic Relations.

tonic——

blic Relations.

e. Public Relations——

5] A. Press relations, I guess you would call it.

got no cut from the story; did he?

rcone: Your Honor, I object to that.